THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.21173 OF 2005

DATED:28.9.2005

Between:

Bommena Laxminarayana and others

…Petitioners

And

The District Collector, Karimnagar District and another

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.21173 OF 2005

ORDER:

The petitioners' land in S.No.1307 was acquired by award being award No.B/385/92, dt.6.5.1993. The second petitioner and the predecessors of petitioners 1 and 3 were paid compensation as awarded by the Land Acquisition Officer. The petitioners allegedly made a representation on 18.5.1993 to the second respondent to refer the award under Section 18 of the Land Acquisition Act, 1894 (for short, the Act) to Civil Court. The petitioners allegedly sent another representation on 6.6.2000 and got issued legal notice on 30.3.2005, in vain. Therefore, present Writ Petition is filed.

Even according to the petitioners award was passed almost a decade and a half ago and petitioners except stating that they were moving around the office of the second respondent, did not take any steps nor evince any interest in the matter. The claim made in the Writ Petition is a stale claim and therefore this Court is not inclined to countenance the submission of the learned counsel for the petitioners. If such stale claims are entertained in exercise of powers under Article 226 of the Constitution of India, it would be traversity of justice as public interest would be jeopardized by referring old claims to Civil Court for adjudication.

The Writ Petition is accordingly dismissed. No costs.

_____

(V.V.S.RAO, J)

28.9.2005

bnr